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LADAS & PARRY 5670 WILSHIRE BOULEVARD, SUITE 2100 LOS ANGELES, CA 90036-5679				
EXAMINER				
WHIPPLE, BRIAN P				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/759,696

**Applicant(s)**

YOUNG ET AL.

**Examiner**

Brian P. Whipple

**Art Unit**

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

#### DETAILED ACTION

1. Claims 1-20 are pending in this application and presented for examination.

#### *Response to Arguments*

2. Applicant's arguments filed 12/7/07 have been fully considered but they are not persuasive.
3. Applicant sets forth several arguments regarding claim 1.
4. Applicant argues Maffeis fails to disclose selectively coupling an electronic system to a first wireless network or a second wireless network through a electronic peripheral device.

In response to Applicant's arguments, the recitation has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Furthermore, Maffei does disclose selective coupling in that any coupling is clearly a selection that has been made either by a system or a user.

5. Applicant argues Maffei fails to disclose first signals received from the first wireless network to the electronic system *through the first interface, the second interface, and the third interface in order* [emphasis added by Applicant].

In response to Applicant's arguments, messages may be transmitted from the first wireless network, via WAP through a first interface, through the Message Server, and back out across the second and third interfaces, the TCP and Telco Network (Fig. 1, items 2c, "WAP", 3, 1a, 5, "TCP", 4a, 7, and 2e; Col. 1, ln. 9-12; Col. 2, ln. 27-35).

6. Applicant argues Maffei fails to disclose a second interface coupled to the first interface for transmitting a plurality of signals between the first module and the second module.

In response to Applicant's arguments, the interfaces are coupled through the Message Server, item 1a, and transmit messages across interfaces to different types of wired and wireless networks (Fig. 1, items 4a, 7, and "WAP"; Col. 1, ln. 9-12).

7. Applicant argues Maffeis fails to disclose the electronic peripheral device includes a processor. The device is a client and inherently includes a processor (Fig. 1, item 2c).

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

9. Claims 1, 11, and 20 are rejected under 35 U.S.C. 102(a) as being anticipated by Maffeis et al. (Maffeis), U.S. Patent No. 6,877,023 B1.

10. As to claim 1, Maffeis discloses an electronic peripheral device (Fig. 1, item 2c) for coupling to an electronic system (Fig. 1, items 1a and 3; Col. 3, ln. 3-6 and 15-16), the electronic system being selectively coupled to a first wireless network or a second wireless network through the electronic peripheral device (Fig. 1, items 3, 5, and 7; Col. 2, ln. 50-51, 54-56, and 59-60. The first wireless network is connected over a wireless transport protocol. The second wireless network is connected over a telecommunications network, such as GSM.), the electronic peripheral device comprising:

a first module with which the electronic system accesses the first wireless network, comprising a first interface (Fig. 1, "WAP" and 3; Col. 2, ln. 50-51); and

a second module with which the electronic system accesses the second wireless network (Fig. 1, items 4a and 7; Col. 2, ln. 54-56), comprising:

a second interface coupled to the first interface for transmitting a plurality of signals between the first module and the second module (Fig. 1, items 4a, 7, and "WAP"; Col. 1, ln. 9-12; The interfaces are coupled through the Message Server, item 1a, and transmit messages across interfaces to different types of wired and wireless networks.);

a third interface coupled to the electronic system for transmitting a plurality of first signals or a plurality of second signals between the electronic system and the second module (Fig. 1, item "TCP"; Col. 1, ln. 9-12. The TCP interface can transmit messages from the Telco Network, item 7, across the TCP connection to the Message Server, item 1a.); and

a processor for controlling the transmission of the first signals and second signals (Fig. 1, item 1a; It is inherent that the message server has a processor.);

wherein when the electronic system is coupled to the first wireless network, the first module transmits the first signals received from the first wireless network to the electronic system through the first interface, the second interface, and the third interface in order, and transmits the first signals received from the first interface to the first wireless network, and when the electronic system is coupled to the second wireless network, the second module

transmits the second signals received from the second wireless network to the electronic system through the third interface, and transmits the second signals received from the third interface to the second wireless network (Fig. 1, items 2c, "WAP", 3, 1a, 5, "TCP", 4a, 7, and 2e; Col. 1, ln. 9-12; Col. 2, ln. 27-35; Messages may be transmitted from the first wireless network, via WAP through a first interface, through the Message Server, and back out across the second and third interfaces, the TCP and Telco Network.).

11. As to claims 11 and 20, the claims are rejected for the same reasons as claim 1 above.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 2-10 and 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maffei, in view of what is well known in the art.

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14. As to claims 3 and 13, Maffeis discloses the second wireless network is a Global System for Mobile Communications (GSM) network (Fig. 1, item 3; Col. 2, ln. 54-56), as opposed to the applicant's claim that the first wireless network is a GSM network. However, Official Notice is taken that this is a trivial difference and that Maffeis can transmit in both directions. The thrust of Maffeis's teachings is translating messages between any wired or wireless formats. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Maffeis by using GSM for the first wireless network, in order to translate between GSM and other formats as needed.

15. As to claims 4 and 14, Maffeis discloses the first wireless network is a Wireless Local Area Network (WLAN) (Fig. 1, item 3; Col. 1, ln. 9-12; Col. 3, ln. 3-6), as opposed to the applicant's claim that the second wireless network is a WLAN. However, Official Notice is taken that this is a trivial difference and that Maffeis can transmit in both directions. The thrust of Maffeis's teachings is translating messages between any wired or wireless formats. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Maffeis by using WLAN for the second wireless network, in order to translate between WLAN and other formats as needed.



16. As to claims 2, 5-10, 12, and 15-19, Official Notice is taken that GPRS, USB, UART, PCMCIA, PCI, and CardBus are well known means of enabling communication between devices and/or systems in the computer-networking field.

Maffeis's teachings are directed toward enabling communication between any kinds of devices over any kind of network (Col. 1, ln. 9-12). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Maffeis by including the well known GPRS, USB, UART, PCMCIA, PCI, and CardBus for the purpose of enabling communication between devices and/or systems in the computer-networking field (Maffeis: Col. 1, ln. 9-12).

### ***Conclusion***

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action.

In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Whipple whose telephone number is (571)270-1244. The examiner can normally be reached on Mon-Fri (8:30 AM to 5:00 PM EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Brian P. Whipple

/B. P. W./

Examiner, Art Unit 2152

2/14/08

/Bunjob Jaroenchonwanit/

Supervisory Patent Examiner, Art Unit 2152